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Incremental Dependencies: Politics and Ethics of Claim-making at the Fringes of Windhoek, Namibia

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Abstract

On the basis of a case study of informal residents' claims over land, housing and basic amenities in Windhoek, Namibia, this chapter seeks to contribute to debates on the broad sociopolitical implications of claim-making dynamics between residents and public authorities. In contrast with antagonistic readings of such situations that focus on resistance, autonomy and rights, the chapter finds that both residents' strategies and policies outline incremental paths of betterment and intersect in multiple ways. It ponders whether and how such incrementality produces institutionalised forms of relations between citizens and authorities, and calls attention to the principle of mutual dependencies as a key aspect in them.

1 African Urbanities, Claim-making and Citizenship

Urbanisation is repeatedly identified as one of the key stories of our time. We have rapidly moved from a predominantly agrarian world into one where the majority of people live in cities and towns.¹ It is common to associate this change with the grand teleological narrative of industrial development. However, anxieties related to perceived changes in the global economic structure and empirical observations of urbanisation without industrialisation in many Southern contexts, particularly in Africa, question this story. Rapid urbanisation thus appears both as a great promise, an incubator of creativity and new economic and social forms, and as a threat (Bekker and Fourchard, 2013). On the one hand, there are visions of 'world-class cities' that are affluent, efficient and sustainable—these embody dreams of technologically and socially advanced, sustainable, clean and orderly futures. On the other hand, there are dystopian vistas of social and ecological decay, growing disorder and

¹ World Bank, <https://data.worldbank.org/indicator/SP.URB.TOTL.IN.ZS> (accessed on 13 November 2017).

unequal cities divided into gated communities and proliferating slums (e.g. UN-Habitat, 2008). While mainstream planning perspectives on urbanism see the latter as problems to be managed through social, administrative and technological reforms and innovations in order to create sustainable, resilient and inclusive cities (UN-Habitat, 2016; Mitlin, 2014), critical urban theory sees them as more profoundly anchored in the very structures of the global political economy (e.g. Brenner, 2009; Marcuse, 2010). These tropes of promise and threat are particularly pronounced in the case of debates and studies on 'world cities' (Robinson, 2015) or 'global cities' (Sassen, 2005).

These perspectives are largely devoid of historical, cultural or political specificity. In contrast to such approaches, this chapter suggests that it is fruitful both to question the instrumental focus of planning perspectives and not to take it as given that urbanity everywhere converges toward similar forms and outcomes. It calls attention to the historical formation of particular African urbanities and the city as a lived space versus a planned space, and to what practices bridge the gap between planning ideals and the realities of simultaneous growth and shortage in Southern cities. In this perspective, the workings and failures of formal institutions of government, what kinds of plans they make, and how these are implemented are not all there is to governance. Equally important are the constant work towards survival and betterment by ordinary residents as well as the multiple mediations, negotiations and struggles between residents, governmental agencies and various other collective bodies, such as neighbourhood associations, social movements, companies, churches or informal networks. Everyday governance grows out of this meeting and negotiation of different interests, ideals and aspirations, often involving provisional accommodations and solutions in both formal and informal spheres (Blundo and Le Meur, 2008; Cornea et al., 2017).²

In many postcolonial contexts, including Africa, modern institutions of governance were initially built upon the colonial principles of exclusion and selective recognition (Mbembe, 2001; Mamdani, 2007; Hansen and Stepputat, 2005). With transitions to independence, emergent states increasingly framed the people living in their territories as citizens instead of subjects (see e.g. Hindess, 2005; cf. Mamdani, 1996), but the extent to which people can transform their legal citizenship into tangible political and economic rights and benefits has remained uncertain and contested. Hence citizenship is better approached as a claim instead of a mere ascribed status (Das, 2011). In trying to make a living,

2 This approach is closely related to the literature that focuses on state formation and statehood as a process of institutional centralisation and potential fragmentation; see Metsola, 2015, 35–51; Steinmetz, 1999; Mitchell, 1999; Clapham, 1998; Das and Poole, 2004.

enjoy basic security and gain social acceptance, people seek to be recognised as deserving claimants vis-à-vis various authorities (Fraser and Honneth, 2003; Taylor, 1994; Englund, 2004; Metsola, 2015, 75–78) by resorting to the various material resources, social relations and discursive registers to which they have access (Hagmann and Péclard, 2010). Claims can take multiple forms including protests, polite requests, formal applications, accusations of corruption, court cases or acts of occupation. This process is relational; making claims to another party, whether a political office holder, state agency, traditional leader, local Big Man, land board or a neighbourhood association implies (even if provisionally) the recognition of their authority to grant what has been demanded (Lund, 2006; Lund and Boone, 2013). African claim-making environments are often institutionally plural, which means that claimants have to assess which authorities they can or should turn to. In turn, authorities may compete over who has jurisdiction to respond to claims, seeking out claimants in their bid for legitimacy. Because of this, claim and response dynamics are well suited for exploring the development of public authority, citizenship and institutions of governance.

One relatively common response to the uncertainties of belonging in contemporary Africa has been for claimants to try to ground entitlement in identity and seek to narrow down the circle of those sharing that identity and hence entitled to a slice of the cake. This is what the politics of autochthony, ethnonationalism and other exclusivist reformulations of belonging familiar from many current or recent African citizenship struggles and conflicts try to do (e.g. Dorman et al., 2007; Geschiere, 2011; Nyamnjoh and Brudvig, 2014). While these cases are significant and attract a lot of attention, they do not offer the full picture of contemporary African claim-making. In many cases, particularly in contexts with relatively well-functioning set-ups of centralised institutions—in other words, stronger states—claims may also take the form of negotiating vis-à-vis the existing regime without reference to supposedly primordial identities.

While claim-making can pivot around multiple objects, land is often prominent due to its importance for many different purposes: for agriculture, residence, as a commercial asset and, often, as a symbolically charged entity (for example as a burial ground or a place of worship). The significance of access to land, the overlapping claims related to it and the multiple institutions regulating it have often been noted as a major issue in African politics and development, particularly in rural contexts (e.g. Lund, 2011; Berry, 2009; Boone, 1998). With rapid urbanisation, urban spaces are becoming more pronounced as arenas for the articulation of various, criss-crossing claims over land (Koechlin 2017, 3). Claims are made by national and transnational capital, by the elites,

but also by the vast number of people living in various degrees of precarious existence—the so-called informals, squatters, or subalterns. Additionally, various authorities at different levels and agencies of government, and in traditional or religious institutions, mediate the claims of others but also of each other.

Based on a case study of informal residents' claims over land, housing and basic amenities in Windhoek, Namibia, this chapter seeks to contribute to debates on the broad sociopolitical implications of claim-making dynamics between residents and public authorities. Through a critical conversation with the literature on urban claim-making in Africa and beyond, the chapter discusses incrementality as a characteristic of both residents' strategies and policies, and the interplay between the two. Contrary to both the policy-oriented, top-down accounts of African social problems and their governmental solutions, and antagonistic accounts of claim-making dynamics, this chapter explicitly connects the study of claim-making dynamics with the themes of institutionalisation, negotiated statehood and everyday governance, with particular attention to the principle of mutual dependencies as a key ingredient in the relations between residents and authorities. The chapter provides an overview of the interplay between residents' demands and official responses in Windhoek without going deep into the details of the different positions and actions of various kinds of residents, or into discussing the various other actors involved such as the central government, the Shack Dwellers Federation, the Affirmative Repositioning movement, or entrepreneurs. These will be the subject of future work.³

In what follows, I will first outline some influential ways in which urban claim-making has been previously discussed. In particular, I make a distinction between antagonistic and mutualistic readings, as well as between perspectives that emphasise claimants' efforts towards political autonomy and rights and those that stress relations of mutual dependence between claimants and authorities. I will then move on to present the case of claims and responses in the informal settlements of Windhoek, before returning to broader analytical

3 The fieldwork on which this case study is based took place from June to August 2016. Field activities consisted of interviews and conversations with ordinary residents and ground-level community leaders. The author also interviewed officials from the City of Windhoek, members of local and regional government, ministry personnel, representatives of organisations working on housing and squatters' issues, and academics, and organised a focus group discussion with youth leaders. He also attended a number of relevant events, including a meeting between the municipality's representatives and community leaders in one informal settlement, a community information meeting in another, and an Affirmative Repositioning book launch. These sources are complemented by grey literature and media stories.

discussion in which I focus on distinctions between instrumental clientelism and a more general ethos of mutual dependence, and on the developmental implications of such mutualities.

2 Perspectives on Urban Claim-making

In the literature on claim-making, there is a divide between what can be called antagonistic and mutualistic perspectives on relations between citizens and authorities. Antagonistic readings operate through a focus on social movements, struggles, resistance and 'the right to the city' and tend to pit the interests of the rulers and the ruled against each other. In this view, claims result from and make visible the lines between the powerful and the powerless, the rich and the poor, the privileged ones and the disenfranchised. David Harvey (2008, 37) provides a good example of writing in this vein: 'Signs of rebellion are everywhere: the unrest in China and India is chronic, civil wars rage in Africa, Latin America is in ferment. Any of these revolts could become contagious.' What should happen, he continues, is for social movements to focus on demanding 'greater democratic control over the production and utilization of the surplus' in 'a global struggle, predominantly with finance capital' (Harvey, 2008, 37; see also Sassen, 2010).

Not all accounts of the urban condition and resistance within it are as grandiose. Mike Davis (2006), for one, is sceptical about such grand narratives. For him, '[p]ortentous post-Marxist speculations, like those of Negri and Hardt, about a new politics of "multitudes" in the "rhizomatic spaces" of globalisation remain ungrounded in any real political sociology. Even within a single city, slum populations can support a bewildering variety of responses to structural neglect and deprivation, ranging from charismatic churches and prophetic cults to ethnic militias, street gangs, neoliberal NGOs, and revolutionary social movements.' (Davis, 2006, 201–202.) Yet he still frames the responses of the urban 'poor' or 'informals' exclusively in terms of resistance to global capitalism: 'But if there is no monolithic subject or unilateral trend in the global slum, there are nonetheless myriad acts of resistance. Indeed, the future of human solidarity depends upon the militant refusal of the new urban poor to accept their terminal marginality within global capitalism.' (Davis, 2006, 202.)

While this perspective captures a significant aspect of claim-making and response dynamics, many such interactions are not captured by its interpretive lens. A more ethnographically oriented body of scholarship has moved beyond the focus on explicit (and globally oriented) resistance and added nuance to our understanding of the political agency of informals (Das and Randeria, 2015;

Simone, 2013; Bayat, 2010; Holston, 2008). A number of important points from this literature could be raised, but as there is no room for extensive discussion I will highlight two that are most important for my purposes. First, many of the actions of informal urban residents do not take the form of conscious, collective political action but occur in the form of disconnected, mundane actions that have practical aims. Second, they are not necessarily antagonistic, but involve significant degrees of reciprocity, mutuality and negotiation. For example, through studies on the daily realities of ‘urban poor’ in Egypt and Iran, Asef Bayat (2000, 2010, 2015) points out the shortcomings of perspectives that see the poor as merely surviving instead of having long-term dreams, plans and strategies, as well as of perspectives that tend to focus excessively on their organised collective action through the prism of resistance. Instead, Bayat highlights what he refers to as ‘quiet encroachment’, the multiple ways in which squatters engage in clandestine, piecemeal actions primarily aimed towards individual, family or other immediate group betterment, and how this may have systematic, unintended, collective—and hence political—outcomes. James Holston (2008), in turn, has focused on how poor urbanites in Brazil have staked claims through land occupation, auto-construction and legal action, in the process gaining increasing traction as a political force and realising their citizen rights. However, later studies have observed that the movements that initially spoke about ‘rights to the city’ and took an antagonistic stance towards public authorities have since been demobilised as their demands for recognition and participation, and to some extent their agency, was co-opted into official doctrines and practices (Caldeira, 2015).

While both Bayat and Holston have produced richly contextualised reconceptualisations of precarious existence in Southern settings, they retain the antagonistic focus that juxtaposes residents and state power and portrays increasing autonomy and citizen rights as the eventual objective of the former. In contrast, this chapter suggests that there may be a significant degree of mutuality in the claim and response dynamics involving informal urban dwellers.

3 Claiming Residence, Welfare and Security at the Fringes of Windhoek

In Namibia, urbanisation is proceeding rapidly, both through population growth occurring in the city and continuous in-migration propelled by persistent rural poverty and hopes of better opportunities. This strains the capacities of city and town administrations. Coupled with pervasive unemployment and rising land prices and housing costs, this has resulted in widespread precarity

among urban dwellers. At the same time, the country's stability and relatively high administrative capacity and economic performance facilitate the pooling of resources and significant redistributive mechanisms through state coffers. Together, these conditions help generate popular demands for translating the political inclusion of legal citizenship into social and economic inclusion through the provision of opportunities, jobs, health, education, housing and basic amenities.

3.1 *Informal Settlements and Their Residents*

Before Namibian independence, migration was severely restricted and 'illegal' settlement not tolerated. Independence set in motion a heavy influx of people from rural areas to cities and towns. Windhoek has grown from a city of under 150,000 inhabitants at independence to one with over 400,000 now. High demand for residential land and housing, together with a complicated and costly process of surveying, demarcating and servicing has pushed the prices of houses as well as rents beyond what most urban residents are able to pay. Therefore, most urban population growth occurs in informal settlements on municipal land in the north-western and western fringes of the city, mostly in the constituencies of Moses Garoeb, Tobias Hainyeko, Samora Machel and Khomasdal North.

There are many kinds of informality. In the extreme outskirts of the city, new, relatively sparsely populated and completely unserviced areas constantly spring up with more land becoming occupied. Older informal settlements have gradually become congested but have often been provided with basic services like public prepaid water taps, communal toilets, and some paved streets and street lights. Yet other areas are still predominantly filled with *kambashus* (shacks) but have already been demarcated into individual plots that are usually fenced. Additionally, there are small tracts of informal residence in open areas within established townships, as well as shacks in people's backyards, used for renting out. Many of the research participants had at some point moved from one informal area to another due to various reasons, including less noise and congestion, better location, available services, cheaper living expenses, security considerations, avoiding problematic relations with relatives, or acquiring more space in a newer area.

Likewise, the people who live in informal areas or conditions should not be seen as a single group of 'squatters'. They consist of employed, partially employed, unemployed, students and pensioners; people with different levels of income, different social connections and at different stages of their life cycles. The sizes of their homes, mostly built of corrugated iron, as well as the amenities in them vary considerably. Some only consist of one room with next to

nothing inside, while at the other end of the spectrum there are homes with multiple rooms, electricity (either tapped illicitly from permanent houses nearby or powered by solar panels or a generator), fridges, stoves, windows and quite a lot of furniture, even inside toilets. These have often been built incrementally over time, as resources permit. While people strive towards better life through degrees of formalisation, changes can occur in the opposite direction too, with informalisation—moving to a shack—providing an outlet in a situation in which formal accommodation has become financially unsustainable. In some cases, living informally is a choice that facilitates saving a larger portion of one's incomes for other, longer-term purposes, such as purchasing land or investing in property in rural areas (see also Niikondo, 2010; Kamminga, 2000, 51). Indeed, many research participants referred to existing links to their places of origin and to their wish to retire there. Furthermore, not all shacks are for residence—some are also for business; people may own more than one and rent them out, or use them as *shebeens* (informal bars).

3.2 *Actors and Policies*

Numerous actors populate the organisational landscape related to the issues of land, housing and services in Windhoek. These include the City, the central government, savings groups and their umbrella organisation the Shack Dwellers Federation, and—more recently—the Affirmative Repositioning movement (AR). I will provide a brief overview of this landscape before moving on to discuss the interplay between residential claims and the City.

The Shack Dwellers Federation is 'a network of 605 saving schemes with 20400 members throughout the country'.⁴ Savings groups, either independent ones or those belonging to the Federation, purchase or lease plots that the City then provides with a basic level of services on a collective basis. The groups subdivide the plot among members and each of them can develop their share incrementally (City of Windhoek, 1999; City of Windhoek, n.d. b). This model is not without its problems, for example related to the management of funds and collective services, but it has provided a significant avenue for many poor residents to achieve different degrees of improvements, including access to formal housing and basic services.

While the achievements of the Shack Dwellers Federation and independent savings groups are considerable, only a minority of informal residents have benefited from them. The persistent and growing land and housing shortage led to the emergence of a new militant movement called Affirmative

4 Shack Dwellers Federation of Namibia, <http://sdfn.weebly.com/> (accessed on 14 September 2017).

Repositioning in 2014. Led by prominent young political figures with a history in the SWAPO Youth League, it started a high-profile campaign regarding urban land availability. Its rhetoric has been openly hostile to the established political elite, with a mixture of radical socialist and Pan-African themes (AR book launch, 4.8.2016). In response to the pressure from the AR, the central government revitalised some previously problematic and hence inactive housing programmes. These include the Build Together Programme, originally started in 1992 and meant to provide housing loans for low- and middle-income households, and the Mass Housing Programme that provides subsidised ready units. Additionally, the government started a Mass Urban Land Servicing Project with the promise of delivering 200,000 plots countrywide for residential purposes. So far, progress in delivering these has been slow.

Neither of the abovementioned organisations is a mass-based popular squatters' movement like for example Abahlali baseMjondolo in neighbouring South Africa. The Shack Dwellers Federation has considerable real presence on the ground, particularly among women, but has not adopted similar antagonistic rhetoric and broadly political objectives as Abahlali base Mjondolo. Instead, it focuses on more immediate practical questions of housing and often cooperates with public agencies. Affirmative Repositioning, in turn, does speak a militant language that situates the issues of urban land, housing and services in the context of broader injustices. However, on the basis of my observations and discussions with Windhoekers of various walks of life it seems to draw much of its support from among the young middle-class and to not have an equally strong support base among informal residents.

While the above policies and organisations play a significant role, the interaction between informal residents and the municipality through immediate or low-level official channels is the primal node in the claim and response dynamics in Windhoek. This is, first, because informal settlements have mostly grown on municipal land, and second, because the City has considerable autonomy over the generation of its own revenue and budget but is also expected to cater for its expenses without central government subvention, apart from specific, earmarked capital expenditures. Hence, my primary focus here is with the claims and responses between residents in various informal settlements and the City.

In day-to-day practice, the City is not a unitary actor and the approach of different agencies, or the line taken in regulating the use of municipal land, may vary at different moments and in different situations. Sometimes those working in the City structures stress that 'we cannot condone illegal settlement' (as one of my City civil servant interviewees put it, and the Head of the City Police confirmed) while others accept the reality of rapid urban growth

and try to think of practical ways to address the situation. However, many City employees dealing with 'informals' argued that they are 'fighting a losing battle'. In practice, informal residence has been mostly tolerated since independence and as I shall demonstrate below, the City has, in principle, accepted that the problem should be addressed through constructive engagement rather than through harsh control.

The first response by the City to the heavy influx of squatters in the early 1990s was to establish three 'reception areas' where new residents were given rental plots with rudimentary services. It was assumed that once the new residents had established themselves they would be able to find formal accommodation and move out. This did not happen. (City of Windhoek, n.d. a; World Bank, 2002, 17–18.) As the spread of low-income informal areas continued, the City outlined a new housing policy (City of Windhoek, 2000) and a concomitant development and upgrading strategy (City of Windhoek, 1999). Drawing from such international precedents as Mexico and Botswana, as well as World Bank guidelines (City of Windhoek, n.d. a), these documents advocated a transition from seeing informal residents as lawbreakers and a mere problem into a participatory approach that sees them as active agents trying to improve their lives. As put in the City's guidelines on informal settlements in the mid-1990s, '[t]his should not be seen as yet another project to mend squatter problems in Windhoek, but rather a process proposed to positively accommodate and manage informal settlements in the City. In addition it must be realised that, in order for this process to succeed, traditional views (confine people to a specific area to exercise control over them) on informal settlement shall have to be discarded' (City of Windhoek, n.d. a, 6).

The development and upgrading strategy combines in situ upgrading of existing settlements with establishing new residential areas under the sites-and-services model (City of Windhoek, 1999; World Bank, 2002, 9). The strategy outlines seven development levels of upgrading that differ from each other in terms of resident income, tenure arrangements, service levels and payments (City of Windhoek, 1999, 4; World Bank, 2002, 10). Levels 0–3 consist of 'ultra-low income' areas with gradually increasing levels of communal services. Tenure at levels 1–2 is primarily lease-based (City of Windhoek, 1999: Annexure A). For most of the people (over 80 per cent in the early years of the new millennium) this was the only affordable level of officially recognised tenure (de Kock, 2006, 28–29; City of Windhoek, 2000, 4). Block layout at level 1 remains informal, while levels 2 and 3 consist of demarcated *erven* (plots) that the residents lease or purchase. Levels 4–6 refer to low- and middle-income areas, with individually owned plots and individual service connections (City of Windhoek, 1999: Annexure A).

The areas selected for upgrading tend to be heavily congested. This leads to the requirement that some move out to make way for the upgrading and new subdivision of plots. Who can stay is primarily decided on a first come, first served basis, with those who have arrived in the area first getting to stay. For this purpose, the City registers residents on a waiting list and numbers their shacks. In practice, most communities currently remain at the lowest three levels. Upgrading is slow and the situation of partial informality and partial formality may become a relatively lasting state. City officials and other observers give multiple reasons for this state of affairs. City representatives argue that they will not be able to solve the problem without central government subventions. Other crucial resources noted as often lacking are land for resettlement, time, will and capacity.

3.3 *Residents' Claims and Their Negotiation*

Participation and incremental upgrading have been the official policy for over 15 years. The approach has permeated the lived experience and colonised the claim-making processes of informal urban dwellers to a considerable extent, so that their claims largely mirror the incremental upgrading strategy. In part, such residents always have to frame their demands in a way that is intelligible to those in a position to respond. However, the doctrine of incremental upgrading also offers a possibility to gradually transform non-tolerated practices into tolerated ones, illicitness into licitness, and informality into formality. It offers the residents a stepping stone via which to start actively working towards a more secure existence in the city.

Among my research participants, water and sanitation were usually the primary needs expressed, followed by electricity, and then paved roads and street lights. Additionally, a concern over security is a recurring theme. Finally, after these basic needs, having one's own house under a secure tenure arrangement of some kind represents the eventual ideal. These aspirations seem to form a partially overlapping series, in which the focus of needs and demands would shift as the situation of provision changed. Claim-making over these needs has taken many forms: petitioning the authorities in public meetings or through community leaders and councillors, writing letters to officials, sending SMSs to newspapers, and in some rare cases, protests against evictions.

There are two kinds of community leaders. The first one includes a tier system based on areas of residence that extends from the level of the regional councillor responsible for a constituency through community chairpersons responsible for different settlements within the constituency and consisting of a few hundred households, to block leaders responsible for about 20–30 households each (City of Windhoek, 1999, 13–14; City of Windhoek, 2011).

This is in accordance with the City's Development and Upgrading Strategy, which states that '[i]n Development Levels 1–3 [...] or any other situation where a community has access to communal services [...] [t]he community (20 to 30 households sharing the same toilet block) must democratically elect a constituted formal neighbourhood committee and a chairperson [...] The aim of such neighbourhood committees will be [...] [t]o act as communication channel with Council [...]; To empower the communities to run their own organisation, finances, maintenance, cleaning of services and problem solving; To lessen the burden on Council in terms of resources needed for community liaison, administration, credit control, maintenance, etc.; To facilitate a structure through which saving and self-help actions may be promoted; To create a structure through which education, training and capacity building may be effectively carried over to individual households' (City of Windhoek, 1999, 13).

The other kind consists of constituency development committees. Each constituency has one of them and their membership is drawn from people who reside in the constituency and represent different walks of life. For example, in Moses Garoeb constituency in Northwestern Windhoek, the CDC members are classified as representing the following categories: community, youth, traditional authority, the Ministry of Veterans Affairs, City of Windhoek, Family of Hope Services (an NGO assisting orphaned and vulnerable children), Youth Forum, businesses, The Evangelic Lutheran Church in Namibia, the Ministry of Defence and the Ministry of Agriculture (information obtained from the Moses Garoeb constituency office, August 2016; see also Republic of Namibia 1998, Appendix II).

These two kinds of leaders occupy a key position between informal residents and higher levels of authority. They live in the areas that they represent and are usually the first layer of administration to hear the residents' concerns and are entrusted to campaign for them with regard to the City and other authorities. At the same time, they are the main channel of news and directives in the other direction, from higher administrative levels to the communities. They also regulate land use and mediate disputes; they do not have any official policing or judicial capacity but are recognised as arbiters of less serious cases of disagreement or misbehaviour. Grass-roots local leaders are not remunerated for their services but in practice such positions might offer them leverage with which to advance their own agendas of betterment, as some of them openly admitted, for example by enabling them to be among the first in line when improvements occur. In many respects, their role resembles that of a traditional headman, and indeed their blocks were often referred to as 'villages'.

To give an example of the interactions between such leaders and higher administrative tiers, in one old informal settlement in Tobias Hainyeko

constituency, the community leaders had long been sending letters to the City, and the Mayor in particular, requesting that the latter meet them and address their concerns. During my fieldwork, they eventually got their wish and a meeting between the Mayor, City officials, City councillors, the Regional Councillor and the community leaders from various informal settlements in that constituency was held. In the meeting, the community leaders were given room to air their concerns. These were primarily of a practical nature, focusing on the provision and maintenance of services as well as the desired allocation of *erven*. However, there were also more general, and critical, interventions, focusing on what was perceived as a lack of will or capacity of those responsible for delivering land and services. For example, an old man who was a member of the elders' council in his area quite straightforwardly pointed out what he saw as the discrepancy between promises and actual delivery, stating that 'promises made ten years ago hurt us. Why do you run when people in other areas ask you to come? Why are services not given here like in town?' As the questions and comments were collected, there was no direct answer to these questions. In their responses to all the queries and pleas that were heard, the CEO of the City and the Mayor referred to their responsibility to cater for the needs of the whole city with limited funds. While basic services were a human right, said the Mayor, changes could not happen overnight. The Mayor and City representatives further pointed out that more efficient implementation aided by community involvement and sharing of information would be key to making the most of available resources. In general, the principles of affordability and cost recuperation recurred in my interviews with City representatives. From the perspective of informal residents such principles might be a bitter pill to swallow, as they seem to embody new arrangements of privilege that perpetuate the stark inequalities inherited from the racial hierarchy of settler colonialism.

The leadership structure described above is formally geared towards developmental aims (upgrading and services) but it has significant political effects. In principle, the structures of community leadership are administrative, not political positions—as one of the leaders firmly asserted to me and as the City's guidelines also stipulate (City of Windhoek, 2011, 4). In practice, however, SWAPO structures and government structures often overlap at the grass-roots level through the persons holding positions in them. While I did not systematically chart this issue, at least in the areas where I worked most of the leaders I met had previously been active in party structures or continued to be so (see also Kamminga 2000, 50–51). Furthermore, they closely cooperate with regional and City councillors, which are politically elected positions. In Windhoek, all of the regional councillors for constituencies where there

are informal settlements belong to SWAPO and 12 out of 15 City councillors represent the ruling party. In the eyes of such elected officials, issues of welfare provision are of high political significance: 'they elect us', as one regional councillor put it.

Notably, in the context of Namibian urban residential politics, people are striving to become visible and recognised through various forms of claim-making. They want to be registered and have their details recorded instead of resorting to tactics of invisibility or exit. This is because they mostly do not see the political and administrative authorities of regional and local government as a threat but rather as key in controlling access to secure residence in the city. Hence acceptance of their bureaucratic requirements is a precondition for becoming a beneficiary. Hence, they do not resist becoming subjects of the data generation exercises of the City but are, on the contrary, trying hard to enter its surveys, waiting lists and classifications; measures that constitute an integral part of biopolitical 'legibility' and control of contemporary postcolonial states (Das and Poole, 2004).

The above point should be qualified by noting a key moment when residents' strategies concerning visibility change. In the past, the City used to remove at will 'illegal' squatters from sites designated for development. However, a few years ago, a group of squatters, assisted by the public law firm Legal Assistance Centre, challenged this practice in court. Eventually, the Supreme Court ruled that the sections of the Squatters Proclamation of 1985⁵ that authorise the demolition of squatters' shacks are unconstitutional (Ellinger, 2015, 10–11). Since then, squatters cannot be removed without a court order and them being provided with an alternative place to settle. This has led to a game of cat and mouse in which the City Police tries to prevent people from establishing their presence in an area in the first place while the aspirant residents try again, often during the night, until they succeed. After this, they cannot be evicted and can start their incremental struggle towards formalisation. Obviously, the issue of whether one can be considered to already reside in a structure or not is not straightforward to assess and may lead to contested evictions.⁶

3.4 *Summing Up the Situation in Windhoek*

The antagonistic forms of claim-making, such as AR campaigning or sporadic movements to oppose evictions, have received the most media attention and are therefore visible to broader publics. Nevertheless, most claims over urban

5 Proclamation AG 21; *Official Gazette Extraordinary of South West Africa* No. 5047, 7–17.

6 See the High Court case of Junias vs. The Municipal Council of the Municipality of Windhoek (A 35/2014) for an illustrative discussion of such assessment.

land, services and housing have long taken the form of residents' everyday tactics to try to incrementally gain a foothold to reside securely in the city. They have combined this with campaigning towards the City and 'the government' through community leaders and councillors. These claims mirror a policy of participatory incrementality in the informal settlement upgrading strategy of the City of Windhoek, and resonate with the operating logic of the Shack Dwellers Federation as well as the provisions of the recent Flexible Land Tenure Act. The slow rate of delivery has made room for land occupations that can be transformed into open claims after establishing oneself on a site.

Significantly, it is not one, straightforward demand that is made and responded to in this arena, but rather a shifting front line that moves from one aspiration to another through a series of claims and responses. In the process, residents' strategies and official responses have increasingly converged. The former have gradually sought to improve their access to land, housing and services, as well as their legal standing and security, while the latter have sought to transform informality into formality through step-by-step increases in tenure security, incremental provision of housing and services and the mobilisation of 'self-help' to facilitate such improvements.

Even though such incrementality works on practical questions it also produces relations of citizenship and authority. To give an example, let me refer to the requirement of the City, discussed above, for the residents of informal settlements to elect leaders to represent them vis-à-vis the authorities. While this arises from the practical needs related to communal service provision, it leads to residents of such areas having to align their interests and form organised communities—at least to some extent—instead of advancing their lot through disconnected strategies. At the same time, it leads the residents to invest their trust in and channel their aspirations through the agencies administering their affairs, thus reinforcing the authority of such agencies.

Contrary to what the proponents of formalisation through titling (most notably de Soto, 2000) propose, formality and informality in such a context are not necessarily clear-cut, either/or conditions. Rather, through the emergence of informal markets in land and housing, gradual official accommodation through enumeration, service provision and upgrading policies, court decisions against eviction, participation in savings groups and legislative instruments that outline a gradual path towards formalisation,⁷ residents who start

7 Namibia has recently passed the Flexible Land Tenure Act, which provides for a formalisation path that recognises the slow and incremental nature of informal settlement upgrading. It consists of a step-by-step model of tenure, with different grades of title schemes; see Republic of Namibia (2016).

out in a condition of nearly absolute informality may move towards formality as their claims are increasingly recognised. In the process the land that they occupy and the structures they erect on it increasingly gain the characteristics of property.⁸ However, the process also involves a simultaneous informalisation of formal regulations through repeated practical and tactical negotiations of rules of entitlement and precedence.

Importantly, such processes have been taking place at the fringes of Windhoek for sufficiently long to have become incorporated in the tacit practical knowledge of the residents and hence to inform their actions. Thus, while the slow rate of improvement causes impatience, the prospects of gradual betterment and the public authorities' significant role in facilitating it translate dissatisfaction into recurrent claims through officially accepted channels rather than into more antagonistic forms of activism. In other words, they serve the ends of stabilisation and pacification instead of immediate transformation.

4 The Logic of Mutuality

What kinds of insights does the above case of residential claims on the fringes of Windhoek offer for diversifying and clarifying the analytical vocabulary of claim-making dynamics? While the above observations concur with some of Bayat's (2000, 2010, 2015) and Holston's (2008) points on quiet encroachment and insurgent citizenship, there are also important differences. This is possibly in part because of the dissimilarities between Namibia and, on the one hand, the more purely authoritarian settings of Egypt and Iran, and on the other, the firmer tradition of articulate social movements in Brazil. The relations between 'the state' (and 'the City') and the 'informals' in Namibia are not necessarily separate and opposite but may permeate each other, leading to co-optation and collusion. Informal residents in Windhoek do not always acquire what they need clandestinely, nor do they necessarily seek autonomy and legal rights. They often tap into formal political channels and processes to make claims to increased residential security and welfare through a combination of persuasion, pressure and cooperation in the form of requests, seeking media attention, threatening to withdraw their political allegiance from the ruling party, and the officially endorsed policy of participation.

At first glance, such relations would seem to fit the picture of clientelism as they mobilise vertical loyalties between particular local and regional government representatives, community leaders and groups of residents, and involve

8 For a closely related argument in the context of Indonesia, see Nurman and Lund (2016).

the exchange of material and legal improvement for the informal residents to their compliance. In this sense, these relations reproduce the party–state at ground level and also involve the possibility of partial inclusions and exclusions (see also, e.g., Patel, 2016; Hammett, 2017, 5). Indeed, clientelism is the explanatory model suggested by some authors for understanding urban African claim-making dynamics (see e.g. Bénit-Gbaffou and Oldfield, 2014; Mitlin, 2014). While the above relations are very real and important to note, my analysis suggests that the notion of clientelism might be inadequate for understanding the dependencies involved. This is because of, first, its instrumentalism and insufficiently theorised agency, and second, the tendency of clientelist explanations to associate mutual dependencies with inefficiency and stagnancy.

While the play of claims and responses in Windhoek may involve a considerable amount of tactical consideration out of personal or partisan interests, these are not the only set of rules that enter the game. Beyond their own immediate needs, the claims and statements of the residents repeatedly imagine a shared political community where everyone is entitled to basic welfare—housing, water, sanitation, electricity and basic security. There is a widely shared and firm belief that ‘the government’ should help those in need and that this is possible because of abundant national resources and a small population. Residents often told me that they will find a way to pay their bills and build their houses little by little if the government ‘meets them halfway’ with land, services and public assistance. Explanations for why this is not happening enough included the lack of funds and capacity within the structures of the City, but also lack of political will. High-ranking politicians and civil servants are said to be involved in urban land speculation, benefiting from inflated house and rental prices. Contractors and their frontmen (referred to as ‘tenderpreneurs’) are said to utilise their networks to gain tenders at well above reasonable prices. Provision of affordable housing on a large scale would cut into these sources of income. In other words, the residents criticise particular leaders, but their criticism does not amount to questioning the relationship of mutual dependence as much as claiming that that relationship is not sufficiently honoured. This ethos provides a ground for assessing the performance of leaders—whether they care sufficiently or not—and the leaders know this. In this context, the knowledge production related to upgrading, including surveys, the enumeration of shacks, waiting lists, and meetings to share information, serve as forms of impatience management and respond to the regularly expressed need of the residents to be heard by the authorities.

While the gradual, multiform negotiation between rulers and their subjects has been identified as crucial for the formation of ‘social contracts’ and institutions of governance (Hickey, 2010; Nugent, 2010), such negotiations do not

always occur in the same ways and yield similar results. Settings where the ethos of mutual dependence enjoys broad acceptance seem fundamentally different from contracts supposedly resulting from Hobbesian self-interest but also from the more procedural individualism of social liberalism (most notably Rawls (1971)). However, strategic bartering in which favours are exchanged for adherence might not offer a fully satisfactory explanation either. Rather, ideas of reciprocal, yet hierarchical dependence with an imperative of sharing have been identified as a significant component of the constitution of many southern African societies (see Ferguson, 2013, 2015; Englund, 2015; Friedman, 2011; Gulbrandsen, 2012).⁹ They construct an ethos of a political community whose sociality precedes and is more fundamental than the individual aspirations of its members. The exact origins of this moral universe may be multiple, and their extensive discussion is beyond the scope of this chapter. What seems likely, however, is that the particular form that African state formation took during the colonial and early postcolonial periods may have played no small part in contributing towards the centrality of such forms of authority and deference. It formed a key part of what Mbembe (2001, 45) has called 'the trinity of violence, allocations and transfers' that combined coercion with the strategic recognition of key segments of the population and reciprocal chains of distribution and loyalty (see also Englebert, 2009; Bayart, 2000). Ideas of mutual dependence become embedded in subjectivities due to their long histories and social prevalence. Hence, they are ontological rather than purely ethical principles. Furthermore, such dispositions may have a significant aesthetic component in addition to the ethical one, directing assessments of what are intelligible and acceptable forms of making claims. Hence, for example, the ire that the rhetoric of Affirmative Repositioning has raised among those in power. Quite often, their angry reactions have related less to the content of AR's demands and more to their form, which allegedly demonstrates a lack of respect towards figures of authority. Critical comments by ordinary informal residents almost invariably focused on the same issue, while they tended to agree with the expressed objectives of the AR. For them, the preference of AR leaders for antagonistic expression seemed to amount to a denial of the asymmetrical, para-familial relationship of loyalty and care.

The other problem with clientelist (and more broadly, neo-patrimonialist) readings of African contexts is their association of mutualist politics with inefficiency and stagnancy. This overlooks the potential, unforeseen long-term

9 As Ferguson (2013) points out, an Afrobarometer survey found that 'a solid majority (60 per cent) of Africans see their government as a parent who ought to take care of them' (*Afrobarometer*, 2009, 4–5).

consequences of processes of mutual negotiation and recognition, possibly including prospects for social inclusion, material improvements and political participation. Claims of recognition and dependence are intimately related to resource politics. They may take the form of including some in, and excluding some from, resources and welfare through group-based criteria of merit. More positively, they may contribute to the reproduction of and reliance on the relatively immediate socialities of kinship, friendship, neighbourhood or religious community. However, it seems that they may also give rise to the institutionalisation of broader, even universalist politics of distribution and welfare in contexts where the economic and administrative base permits this. For Kelsall (2013), 'developmental patrimonialism' refers to settings of successful institutionalisation based on entrenching patrimonial authority in structures broader and more durable than the reign of any particular ruler, for example those of the ruling party or the bureaucracy. What is significant is that in such a perspective the logic of mutuality is not necessarily opposite to, but is possibly compatible with development. Kelsall's focus is on the agency of the elites, but gains added resonance when the implicit 'social contract' expressed in the ideal of mutuality and the demands it places on rulers are taken into account. From this perspective, could the growing urban settlements with their constantly moving, negotiated frontier of claims and responses over time provide a laboratory for the development of novel institutional arrangements?

Such cities do not seem to be incubators of the same kind of individuation that Weber wrote about in *The City* (Weber, 1978, 1212–1372). What we see in them, rather, is the increasing unmooring of distinct identities, but not necessarily of the logic of mutual dependence. The latter may actually gain further impetus from the erosion of economic mediation through wage labour in Africa. For sure, this mediation never was as pervasive there as in Northern industrial societies. Still, it offered a significant organising principle in postcolonial societies, particularly when linked to the loyalties and obligations of redistribution through kin networks through which salaries lubricated welfare and social reproduction beyond their immediate recipients (Mbembe, 2001; Roitman, 2007). This is no longer the case, as changes in production technologies, coupled with the erosion of debt-driven development, austerity measures of structural adjustment, and the end of the Cold War support chains have ushered in what many authors have identified as an era of jobless growth (Li, 2013; Ferguson, 2015; Englund, 2015). Such southern African states as South Africa, Botswana and Namibia are heavily reliant on the capital-intensive extraction of minerals and a large part of their populations remain superfluous to the formal economy. In spite of this, they remain relatively stable and their economies and administrative institutions function relatively well. They do have

highly unequal patterns of income and wealth but have still taken significant steps in tackling poverty and improving the welfare of their citizens. This has involved extensions in social policy, including broad-based cash grant schemes such as universal, non-contributory old-age pension disability grants, child support grants, war veteran benefits, and even experiments in basic income grants (Ferguson, 2015; Metsola, 2015; Devereux, 2013; Stewart and Yermo, 2009; Pelham, 2007).

5 Conclusion

Through a case of study of incremental and mutually constitutive claims and responses by Namibian residents of informal settlements and public authorities, this chapter has questioned the general applicability of such interpretations of claim-making dynamics that focus on resistance, autonomy or instrumental clientelism. In the Namibian context, claims rather tend to reflect and construct a relational ethics of mutual dependence. This highlights the importance of contextual specificity. Claim-making processes tend to be simultaneously about concrete goods, resources or benefits and about inclusion. However, to understand the kind of political subjectivity and socio-political relationships imagined by this demand—for example, whether it is about being recognised as rights-bearing individual citizens or as ‘children’ under the custody of the state—requires careful, context-specific exploration. Furthermore, it requires taking people’s dispositions and beliefs seriously instead of deciding their veracity or value on their behalf.

Residents’ claim-making in Namibia does not represent an extension of rights or democratising politics directly. Rather, its *modus operandi* reconstructs relations of reciprocal dependence. However, this negotiation does represent deep-seated desires for social and economic justice and inclusion in the national body politic. While the real advances related to residents’ claim-making and responses are limited and their durability is not certain, the policies and practices of participatory incrementality reflect and help reconstruct an ideal of responsive public authority that goes beyond immediate instrumental utility. Over time, this negotiation may offer a basis for enduring institutional responses that generate broad-based legitimacy and stability. However, this is far from a self-evident outcome, as dependencies can be used strategically, in a measured way, to appease and pacify. The question, then, is whether the gradual responses necessary for tempering popular claims eventually make room for and encourage such forms of political consciousness and organisation that are more difficult to harness.

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